

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JS-6

CIVIL MINUTES -- GENERAL

Case No. **CV 15-4773-JFW (MRWx)**

Date: July 20, 2015

Title: Oluwole Odujinrin -v- Select Portfolio Servicing, Inc., et al.

PRESENT:

HONORABLE JOHN F. WALTER, UNITED STATES DISTRICT JUDGE

Shannon Reilly
Courtroom Deputy

None Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:

None

ATTORNEYS PRESENT FOR DEFENDANTS:

None

PROCEEDINGS (IN CHAMBERS):

**ORDER GRANTING DEFENDANTS' MOTION TO
DISMISS COMPLAINT FOR FAILURE TO STATE A
CLAIM UPON WHICH RELIEF CAN BE GRANTED
[filed 7/1/15; Docket No. 11]**

On July 1, 2015, Defendants Select Portfolio Servicing, Inc., Mortgage Electronic Registration Systems, Inc., National Default Servicing Corporation, and Bank of America, N.A. (collectively, "Defendants") filed a Motion to Dismiss Complaint for Failure to State a Claim ("Motion"). Plaintiff Oluwole Odujinrin ("Plaintiff") did not file an Opposition. Pursuant to Rule 78 of the Federal Rules of Civil Procedure and Local Rule 7-15, the Court finds that this matter is appropriate for decision without oral argument. The hearing calendared for August 3, 2015 is hereby vacated and the matter taken off calendar. After considering the moving papers, and the arguments therein, the Court rules as follows:

Pursuant to Local Rule 7-9, Plaintiff was required to file and serve his Opposition or Notice of Non-Opposition "not later than twenty-one (21) days before the date designated for the hearing of the motion." See Local Rule 7-9. Local Rule 7-12 provides that "[t]he failure to file any required document, or the failure to file it within the deadline, may be deemed consent to the granting . . . of the motion." See Local Rule 7-12. As of July 17, 2015, Plaintiff has not filed an Opposition to Defendants' Motion. Pursuant to Local Rule 7-12, the Court deems Plaintiff's failure to file an Opposition or to otherwise comply with Local Rule 7-9 as consent to the granting of Defendants' Motion.

Accordingly, Defendants' Motion is **GRANTED**. Plaintiff's Complaint is **DISMISSED without leave to amend**.

IT IS SO ORDERED.